

# Notice of Allowability

Application No.

09/672,509

Examiner

Pankaj Kumar

Applicant(s)

ROMANIUK, CHARLES C.

Art Unit

2631

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/14/2004.
2. ☒ The allowed claim(s) is/are 1-33.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☒ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date hereto.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☒ Other Response to arguments.

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. The application has been amended as follows:

In the drawings:

In fig. 1:

Element 1 has been labeled ---Phase modulator---

In fig. 3:

Element 5 has been labeled ---Splitter---

Element 16 has been labeled ---Amplifier---

Element 15 has been labeled ---Phase inverter---

Element 18 has been labeled ---Transmitting switch---

Element 8 has been labeled ---Combiner---

In fig. 4:

Element 105 has been labeled ---Splitter---

Element 1018 has been labeled ---Transmitting switch---

Element 1016 has been labeled ---Amplifier---

Element 1015 has been labeled ---Phase inverter---

Element 23 has been labeled ---Threshold device---

Element 108 has been labeled ---Combiner---

In fig. 5:

Element 205 has been labeled ---Splitter---

Element 2018 has been labeled ---Transmitting switch---

Element 2016 has been labeled ---Amplifier---

Element 2015 has been labeled ---Phase inverter---

Element 208 has been labeled ---Combiner---

In fig. 6:

Element 305 has been labeled ---Splitter---

Element 3018 has been labeled ---Transmitting switch---

Element 3016 has been labeled ---Second amplifier---

Element 3015 has been labeled ---Phase inverter---

Element 308 has been labeled ---Combiner---

Element 25 has been labeled ---First amplifier---

In fig. 7:

Element 405 has been labeled ---Weighted splitter---

Element 4018 has been labeled ---Transmitting switch---

Element 408 has been labeled ---Combiner---

Element 4015 has been labeled ---Phase inverter---

Element 4025 has been labeled ---Amplifier---

Element 27 has been labeled ---Unweighed splitter---

In fig. 8:

Elements 30 have been labeled ---Phase modulator receiver---

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Element 31 has been labeled ---BPSK circuit---

3. Reason for making the above amendments:

a. The above amendments were made for clarity.

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***Response to Arguments***

Applicant's arguments filed 9/14/2004 have been fully considered and are persuasive such as when applicant argues that Fields does not teach a modulator device which produces a continuous wave coherent phase modulated output signal since Fields teaches that in one condition the output beam is dark. Hence the application is allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pankaj Kumar whose telephone number is (571) 272-3011. The examiner can normally be reached on Mon, Tues, Thurs and Fri after 8AM to after 6:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad H. Ghayour can be reached on (571) 272-3021. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PK

Pankaj Kumar  
Patent Examiner  
Art Unit 2631

TESFALDET BOCURE  
PRIMARY EXAMINER